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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

DALE YLITALO, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

AUTOMATIC DATA PROCESSING, INC.,
ADP, INC., and AMERICAN CENTURY
INVESTMENT SERVICES, INC.,

Defendants.

Case No. 2:24-cv-07635-JKS-LDW

Judge Jamel K. Semper, U.S.D.J.
Judge Leda D. Wettre, U.S.M.J.

**NOTICE OF MOTION TO DISMISS
PLAINTIFF'S COMPLAINT**

PLEASE TAKE NOTICE that on October 6, 2025, or as soon thereafter as counsel may be heard, the undersigned counsel for Defendant American Century Investment Services, Inc. (“ACI”) in the above-captioned action, shall move before the Honorable Jamel K. Semper, United States District Judge, at the United States District Court for the District Court of New Jersey, Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, New Jersey, for an Order in the form annexed hereto dismissing Plaintiffs’ Complaint.

PLEASE TAKE FURTHER NOTICE that ACI shall rely upon the Memorandum of Law filed herewith, the Declaration of Margaret Murphy, and in part upon the Memorandum of Law filed by co-defendants Automatic Data Processing, Inc., and ADP, Inc.

PLEASE TAKE FURTHER NOTICE that a proposed form of order is filed herewith.

Dated: July 25, 2025

Respectfully submitted,

K&L GATES LLP

By: s/Loly G. Tor

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